

AUTHORIZING SECRETARY OF THE ARMY TO CONVEY CERTAIN LAND TO THE STATE OF VIRGINIA

JUNE 26, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. HARDY, from the Committee on Armed Services, submitted the following

R E P O R T

[To accompany H. R. 9660]

The Committee on Armed Services, to whom was referred the bill (H. R. 9660) to direct the Secretary of the Army or his designee to convey an 11.25 acres tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia, having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 4, lines 1 and 2, strike the words "and the Air National Guard"

EXPLANATION OF THE AMENDMENT

The amendment which strikes the reference to the Air National Guard is considered desirable since no Air National Guard use of the property is contemplated.

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Army or his designee to convey 11.25 acres of the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va. to the State of Virginia for the training of the National Guard and for other military purposes. The conveyance is to be without consideration but on condition that the property shall be used for these purposes and subject to certain reservation, including the reservation of rights of ingress and egress, and other rights-of-way required in connection with the use of the Armed Forces Experimental Training Activity. The bill reserves mineral rights, including oil and gas, and the right of reentry and use during a national emergency.

DESCRIPTION OF THE LAND

The 11.25 acres described in section 1 of the bill are a part of the 9,860.80 acres acquired by the Department of the Navy in 1942 for the establishment of Camp Peary. The area is located near a corner of Camp Peary and adjoins the new State Highway Numbered 132 at a point approximately 5 miles from Williamsburg, Va.

PROPOSED USE OF PROPERTY

The National Guard of Virginia has a requirement for a site in the Williamsburg area suitable for the construction of a National Guard Armory. The land described in H. R. 9660 is unimproved and is suitable for the proposed use. The Department of the Navy had agreed to transfer the property to the Department of the Army. However enactment of this measure, providing for the direct conveyance of title to the land to the State, makes such interim action unnecessary.

NECESSITY FOR THE LEGISLATION

In the exercise of its constitutional power to regulate the disposal of Federal property, the Congress by general legislation has provided for maximum utilization of federally owned property and has provided generally and specifically for disposal of surplus property. The principal statute of this subject is the Federal Property and Administrative Services Act, Public Law 152, 81st Congress, as amended. Provisions have been made for transfers of surplus Government-owned property, both real and personal, to States, political subdivisions, and tax-supported or nonprofit institutions for health and educational purposes. Section 203 (k) of the Federal Property and Administrative Services Act, as amended, in effect authorizes these transfers without consideration by providing public-benefit allowances of up to 100 percent. Provisions are made for transfers, without compensation to the Government of surplus realty for historic-monument purposes (50 U. S. C. App. 1622h). States or political subdivisions are given a public-benefit allowance of 50 percent of the fair value with respect to transfers of surplus realty for park and recreational use (Public Law 616, 80th Cong.). Statutory provisions are made for transfer without monetary consideration of surplus, Government-owned airport property to States or political subdivisions for public airport use (50 U. S. C. 1622).

No general provision of law now in effect authorizes the transfer of surplus Government-owned real property to States for National Guard purposes. Nevertheless, the Congress has by separate law authorized many conveyances of federally owned realty to the various States to be used for National Guard purposes. With rare exceptions, these laws have provided that the transfers pursuant thereto would be subject to reservations of Federal use during national emergencies and were conditioned on automatic reversion of title to the United States in the event of nonuse for National Guard or other military purposes.

FISCAL DATA

Enactment into law of H. R. 9660 will not involve the expenditure of any Federal funds.

DEPARTMENTAL DATA

Neither the Department of Defense nor the Bureau of the Budget has any objection to this bill as is evidenced by letter dated June 15, 1956, from Secretary of the Army Brucker which is set out below and made a part of this report.

DEPARTMENT OF THE ARMY,
Washington, D. C., June 15, 1956.

HON. CARL VINSON,
Chairman, Committee on Armed Services,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 9660, 84th Congress, a bill to direct the Secretary of the Army or his designee to convey an 11¼-acre tract of land situated in the vicinity of Williamsburg, Va., to the State of Virginia. The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The purpose of the bill is to authorize the Secretary of the Army or his designee to convey 11.25 acres of the Armed Forces Experimental Training Activity, Camp Peary, near Williamsburg, Va., to the State of Virginia for the training of the National Guard and Air National Guard, and for other military purposes, the conveyance to be without consideration but on condition that the property shall be used for these purposes and subject to certain reservations, including the reservation of rights of ingress and egress, and other rights-of-way required in connection with the use of the Armed Forces Experimental Training Activity, the reservation of mineral rights, including oil and gas, and the right of reentry and use during a national emergency.

The Department of the Army on behalf of the Department of Defense interposes no objection to the above-mentioned bill.

The 11.25 acres described in section 1 of the bill are a part of the 9,860.80 acres acquired by the Department of the Navy in 1942 for the establishment of Camp Peary. The area is located near a corner of Camp Peary and adjoins the new State Highway Numbered 132 at a point approximately 5 miles from Williamsburg, Va.

The National Guard of Virginia has a requirement for a site in the Williamsburg area suitable for the construction of a National Guard Armory. The land described in H. R. 9660 is unimproved and is suitable for the proposed use. The Department of the Navy has agreed to transfer the property to the Department of the Army, which proposes to authorize its use by the National Guard of Virginia. Enactment of this measure provides for the conveyance of title to the land to the State, an action which the Department of Defense considers appropriate in view of the proposed use of the site.

It is recommended that the phrase "and the Air National Guard" appearing on lines 1 and 2 of page 4 be deleted. Present requirements do not contemplate Air National Guard use of the land.

Enactment of this measure will not involve the expenditure of any Department of Defense funds.

This report has been coordinated within the Department of Defense in accordance with procedures prescribed by the Secretary of Defense. The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

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